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4 JANE DOE, et al.,
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Plaintiffs,

v.

10 GOODRX HOLDINGS, INC., et al.,
11
Defendants.

7 Case No. [23-cv-00501-AMO](#)
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**ORDER TO SHOW CAUSE WHY
DEFENDANT GOODRX HOLDINGS,
INC. SHOULD NOT BE SANCTIONED**

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13 On November 1, 2023, Defendant GoodRx Holdings, Inc. filed a statement “provid[ing]
14 notice to this Court of a nationwide class settlement and preliminary approval of that settlement
15 that would resolve Plaintiffs’ claims as well as those of the members of the putative class they
16 seek to represent.” ECF 150. The previously undisclosed action—*Hodes v. GoodRx Holdings,*
17 *Inc.*, Case No. 1:23-cv-24127 (S.D. Fla.)—was filed on October 27, 2023, *Hodes* ECF 1, the
18 same day the parties in that case “reached agreement on a parallel, nationwide settlement of claims
19 and allegations identical to those raised in this action,” *see* ECF 150 at 2.

20 A review of the docket in the present action indicates that GoodRx never notified the Court
21 of the pendency of the Florida action, as required by Civil Local Rule 3-13. The rule provides:

22 (a) Notice. Whenever a party knows or learns that an action
23 filed or removed to this district involves all or a material part of the
same subject matter and all or substantially all of the same parties as
24 another action which is pending in any other federal or state court,
the party must promptly file with the Court in the action pending
before this Court and serve all opposing parties in the action pending
before this Court with a Notice of Pendency of Other Action or
Proceeding. If two representative (e.g., class, collective, PAGA,
etc.) actions involve overlapping claims (i.e., the definitions of
25 covered individuals overlap and the claims asserted overlap), they
fall within the coverage of this rule.

26 (b) Content of Notice. A Notice of Pendency of Other
27 Action or Proceeding must contain:
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United States District Court
Northern District of California

(1) A description of the other action;
(2) A copy of the operative complaint in the other action; and
(3) A brief statement of:
 (A) The procedural posture of the other action;
 (B) The relationship of the other action to the action or proceeding pending in this district, and the nature of the overlap of subject matter and/or parties; and
 (C) If the other action is pending in another U.S. District Court, whether transfer should be effected pursuant to 28 U.S.C. § 1407 (Multi District Litigation Procedures) or whether other coordination might avoid conflicts, conserve resources and promote an efficient determination of the action; or
 (D) If the other action is pending before any state court, whether proceedings should be coordinated to avoid conflicts, conserve resources and promote an efficient determination of the action.

(c) Procedure After Filing. No later than 14 days after service of a Notice of Pendency of Other Action, any party may file with the Court a statement supporting or opposing the notice. Such statement will specifically address the issues in Civil L.R. 3-13(b).

(d) Order. After the time for filing support or opposition to the Notice of Pendency of Other Actions or Proceedings has passed, the Judge assigned to the case pending in this district may make appropriate orders.

Civil L.R. 3-13.

Accordingly, the Court hereby orders GoodRx to show cause why it should not be sanctioned for failure to comply with Civil Local Rule 3-13. GoodRx shall file a written response, of no more than 10 pages, to this order to show cause by no later than November 8, 2023. Any other party may file a reply, of no more than 5 pages, to GoodRx's response by no later than November 10, 2023. The Court will hold a show cause hearing on November 14, 2023 at 2:30 p.m. All parties shall attend in-person. A general counsel from each defendant with full settlement authority shall also be present in-person at the November 14, 2023 hearing.

IT IS SO ORDERED.

Dated: November 2, 2023


ARACELI MARTÍNEZ-OLGUÍN
United States District Judge